

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

PEELE,

Plaintiff,

v.

OVERMYER, ET AL.,

Defendants.

Civil Action No. 14-306

**ORDER ADOPTING THE REPORT AND
RECOMMENDATION**

The Magistrate Judge issued a Report and Recommendation in this matter, recommending that this Court: (1) grant Defendants' (partial) motion to dismiss, (2) dismiss Defendant Overmyer from the case, and (3) deny Plaintiff's motion for partial summary judgment. (Doc. No. 54). After reviewing the Report and Recommendation, the record, and all other materials before the Court, and no objection being filed, it is hereby ordered that:

- (1) The Report and Recommendation is ADOPTED;
- (2) Defendants' (partial) motion to dismiss is GRANTED. (Dkt. NO. 22). The Fourteenth Amendment due process claim and Defendant Overmyer are DISMISSED from the case;
- (3) Plaintiff's motion for partial summary judgment is DENIED (Dkt. No. 43); and
- (4) The Clerk of the Court shall send copies of this Order to Petitioner.

IT IS SO ORDERED.

DATED this 17th day of March 2016.



BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE

